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Attorneys for Defendant and Counterclaimant
FREETECH, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ECHOSTAR SATELLITE L.L.C.,
ECHOSTAR TECHNOLOGIES
CORPORATION, and NAGRASTAR L.L.C.,

Plaintiffs,

vs.

FREETECH, INC. and DOES 1-10,

Defendants.

FREETECH, INC.,

Counterclaimant,

vs.

ECHOSTAR SATELLITE L.L.C.,
ECHOSTAR TECHNOLOGIES
CORPORATION, and NAGRASTAR L.L.C.,

Counter-defendants.

Case No. 07-6124-JW (RS)

**STIPULATION AND [PROPOSED]
ORDER CHANGING DATE AND TIME
OF HEARING ON FREETECH'S MOTION
FOR PROTECTIVE ORDER**

Current Date: September 15, 2008

Proposed Date: September 10, 2008

Time: 9:30 a.m.

Place: Courtroom 4, 5th Floor, San Jose

Freotech, Inc. ("Freotech") filed a motion for protective order on August 11, 2008 and Freotech noticed a hearing date of Monday, September 15, 2008, a date the parties chose jointly. Upon receipt of the motion, the Court referred all discovery matters to Magistrate Judge Seeborg, who holds hearings for civil motions on Wednesdays, not Mondays. The parties conferred about moving the hearing date to September 17, 2008; however, that date did not work for all counsel. Plaintiffs proposed a hearing date of September 10, 2008 while keeping the briefing schedule associated with the later hearing date. Freotech agreed to this, subject to the Court's approval. (Declaration of Matthew Scherb in Support of Stipulation ("Scherb Decl.") ¶ 2.)

There have been no previous requests to modify time in this case and the proposed change would have no material effect on the progress of this case. (Scherb Decl. ¶ 3.)

Therefore, pursuant to Local Rules 6-2 & 7-12, the parties stipulate and respectfully request an order that:

1. The date and time for the hearing on Freotech's motion for protective order filed August 11, 2008 is now September 10, 2008 at 9:30 a.m. before Magistrate Judge Seeborg.
2. Plaintiffs shall file any opposition by August 25, 2008 and Freotech shall file any reply by September 2, 2008.

Dated: August 15, 2008

T. WADE WELCH & ASSOCIATES

By: /s/ _____
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 Attorneys for Plaintiffs/Counter-defendants

Dated: August 15, 2008

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By: /s/ _____
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CONCURRENCE IN FILING

Concurrence in the filing of this document was obtained from Chad Hagan.

Dated: August 15, 2008

/s/

Matthew A. Scherb

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

UNITED STATES MAGISTRATE JUDGE

Winston & Strawn LLP
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